THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.28150 OF 2005

Dt.2.1.2006

Between:

Srinivas Reddy … Petitioner

And

The Revenue Divisional Officer (Civil Supplies),

Narayanpet, Mahabubnagar District and another. … Respondents

ORDER:

The petitioner questions the action of the Revenue Divisional Officer, Narayanpet, Mahabubnagar District, in issuing the notification dated 20.12.2005 vide No.F/2478/2002 as illegal and arbitrary and consequently direct the respondents to consider the representation of the petitioner dated 26.12.2005.

It is the case of the petitioner that a notification dated 20.12.2005 has been issued for appointment of fair price shop of dealership for shop No.3 of Narayanpet Village and Mandal, Medak District, calling for applications on or before 5.1.2006 and interviews will be held on 9.1.2006. It is stated that pursuant to the said notification the petitioner filed an application on 26.12.2005 stating that he has been working as temporary dealer in respect of the said shop from the last three years without any complaints whatsoever and previously the petitioner made a request to continue him as permanent dealer. It is stated that the said request has not been considered and accordingly

the petitioner made the said representation to consider his application along with others in view of his past experience and financial position.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

Having regard to the facts and circumstances of the case, I am of the opinion that as per the relevant guidelines applications have to be considered in accordance with the rules and regulations issued from time to time. Therefore, I am not inclined to express any opinion on the merits of the case. However, it is the appointing authority to consider the merits and demerits of the applications and take appropriate decision in accordance with law. Merely because of the petitioner has been working as a temporary dealer, the petitioner cannot question the notification calling for applications for permanent appointment of the said fair price shop. The petitioner is entitled to be considered along with other applicants in accordance with law on merits.

The writ petition is accordingly disposed of with a direction to the respondents to consider the application of the petitioner along with others for appointment of permanent fair price shop dealer of the said village. No costs.

(V.ESWARAIAH, J.)

2.1.2006

kpr